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GTE Spacenet
Corporation

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FILE

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APR 20 1992

Federal Communications Commission
Office of the Secretary

April 20, 1992

Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

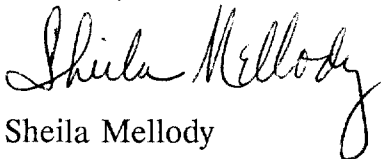
Re: In the Matter of Communications Satellite Corporation's Request for Repeal of
Section 25.131(j)(1) of the Commission's Rules
RM 7931

Dear Ms. Searcy:

Transmitted herewith for filing on behalf of GTE Spacenet Corporation is an original and required copies of its comments in the above-referenced matter.

Should any questions arise, please contact the undersigned at (703) 848-1514.

Sincerely,


Sheila Mellody

SAM:kc

Enclosures

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APR 20 1992

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
COMMUNICATIONS SATELLITE CORPORATION) RM 7931
)
Request for Repeal of Section 25.131(j)(1) of the)
Commission's Rules)

COMMENTS OF
GTE SPACENET CORPORATION

GTE Spacenet Corporation ("GTE Spacenet") hereby respectfully submits these Comments on the above-referenced Petition of Communications Satellite Corporation("COMSAT") for repeal of Section 25.131(j)(1) of the Commission's Rules.

Introduction

On March 20, 1992, the Commission placed on Public Notice the above-referenced Petition for repeal of Section 25.131(j)(1) of the Commission's Rules. Section 25.131(j) requires that receive-only earth stations that receive signals from INTELSAT space stations, international space stations, or U.S. domestic and non-U.S. space stations (i.e., Canadian or Mexican satellites) for reception of services from other countries be licensed by the Commission. Section 25.131(j)(1) applies specifically to receive-only earth stations that are pointed at INTELSAT satellites.

A second part of COMSAT's Petition requested an interim waiver of Section 25.131(j)(1) as it applies to the INTELSAT K satellite. The Commission issued a separate Public Notice for this portion of the petition, and GTE Spacenet submitted Comments in

that inquiry.¹ In response to GTE Spacenet's concerns expressed in its Comments that INTELSAT K should not be allowed to provide one-way services which are truly U.S. domestic services, COMSAT acknowledged that it would need to apply for authority to implement a U.S. domestic link on a case-by-case basis. A Public Notice would then afford GTE Spacenet, or any other interested party, the opportunity to file Comments on the specific proposal.

Given the above, GTE Spacenet respectfully submits the following Comments on COMSAT's petition to repeal Section 25.131(j)(1) of the Rules.

A Repeal of Section 25.131(j) In Its Entirety Is Not Appropriate At This Time, But Should Be Subject To A Notice Of Inquiry

Section 25.131(j) requires licensing of all receive-only earth stations receiving international transmissions from INTELSAT satellites, international separate systems, U.S. domestic satellites, and non-U.S. satellites that provide one-way services into the U.S. This Rule has different implications depending on whether the service is "international" or "transborder", and in certain respects the public notice process is beneficial for transborder service initiatives. COMSAT's petition specifically requests a repeal of Section 25.131(j)(1), though COMSAT expressed support for a repeal of the entire Section 25.131(j). GTE Spacenet therefore recommends that the Commission defer a repeal of Section 25.131(j) in its entirety until the industry has the opportunity to more fully examine the implications and to provide comment.

¹

See, Comments of GTE Spacenet Corporation's ("GTE Spacenet") filed March 25, 1992.

While GTE Spacenet's main concern with respect to the use of INTELSAT satellites has been addressed satisfactorily, and it therefore does not oppose COMSAT's request, the different conditions surrounding transborder applications requires further study.

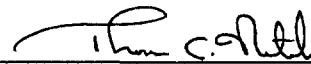
In sum, GTE Spacenet does not oppose COMSAT's request for the repeal of the receive-only earth station licensing requirement for international services, given that an international satellite operator must receive separate authority in order to provide one-way services that are by definition U.S. domestic services. GTE Spacenet does not at this time, however, support a repeal of the Rules as they would apply to transborder service applications.

Conclusion

For the foregoing reasons, GTE Spacenet recommends that the Commission defer granting a repeal of Section 25.131(j) in its entirety pending industry comment. As to the request for repeal of the portion of the Rules specific to INTELSAT, GTE Spacenet does not oppose the request as long as all U.S. domestic service applications that may arise in the future are subject to case-by-case approvals.

Respectfully submitted,

GTE SPACENET CORPORATION



Thomas C. Natoli
Vice President, Corporate Affairs
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McLean, Virginia 22102
(703) 848-1103

April 20, 1992


CERTIFICATE OF SERVICE

I, Karen M. Cameron, hereby certify that copies of the foregoing
"Comments" were served by first-class mail, postage prepaid, this 20th day of
April, 1992, to the following:

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Karen M. Cameron